

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	Case No. 18- <u>10544</u> -TPA
	:	(Chapter 13)
MATTHEW H. WRIGHT	:	Judge Thomas P. Agresti
SUSAN T. WRIGHT	:	
	:	
Debtors.	:	
	:	
MATTHEW H. WRIGHT	:	Document No.
SUSAN T. WRIGHT	:	
	:	
Movants,	:	Related to Document No.
	:	
vs.	:	
	:	
AMERIHOM MORTGAGE COMPANY, LLC	:	
c/o Midland Mortgage	:	
	:	
	:	
Respondent.	:	
	:	

**OBJECTION TO NOTICE OF MORTGAGE PAYMENT CHANGE
OF AMERIHOM MORTGAGE COMPANY, LLC**

Now comes MICHAEL J. GRAML, ESQ., counsel for the Debtors, MATTHEW H. WRIGHT and SUSAN T. WRIGHT, and files the within Objection to the Notice of Mortgage Payment Change of AMERIHOM MORTGAGE COMPANY, LLC.

1. The Debtors, MATTHEW H. WRIGHT and SUSAN T. WRIGHT, are adult individuals, who presently reside, and have resided since the inception of the case, at 9890 German Road, North East, PA 16428-5802.

2. Movants, MATTHEW H. WRIGHT and SUSAN T. WRIGHT, are the Debtors in the above-captioned bankruptcy case.

3. The Debtors commenced this case on May 31, 2018, by the filing of a voluntary petition under Chapter 13 of Title of the United States Code.

4. Respondent, AMERIHOM E MORTGAGE COMPANY, LLC, holds a secured claim (Claim No. 6)(Acct. No. XXXXXX3621) as to the real estate of the Movants, which is encumbered by a mortgage dated December 28, 2016 and held by AMERIHOM E MORTGAGE COMPANY, LLC, said property located at 9890 German Road, North East, PA 16428-5802.

5. Since the inception of the case, the Movants, MATTHEW H. WRIGHT and SUSAN T. WRIGHT, have paid a post-petition monthly mortgage payment (\$1517.44) through their Chapter 13 Plan, confirmed on January 10, 2019 (Doc. No. 40), to the Respondent, in accordance with the proof of claim filed July 31, 2018 by Respondent for the post-petition payment due June 1, 2018.

6. The Respondent, AMERIHOM E MORTGAGE COMPANY, LLC, filed a notice with the Bankruptcy Court, dated July 28, 2020, indicating that due to a change in the escrow portion of the mortgage payment of the Debtors, the post-petition monthly mortgage payment of the Debtors was being increased to \$1,542.05, effective September 1, 2020. Exhibit "A".

7. Therein, the Respondent, AMERIHOM E MORTGAGE COMPANY, LLC, indicated that due to a change in the required escrow component of their mortgage loan, that the payment change increase was from a prior payment of \$1,531.98 to the proposed increase in the post-petition monthly mortgage payment of the Debtors to \$1,542.05.

8. At no time during the course of the case has Respondent filed a prior payment change as to this particular mortgage obligation of the Movants since the date the bankruptcy petition of the Movants was filed and/or in accordance with the confirmed Chapter 13 Plan of the Movants.

WHEREFORE, the Debtors pray that this Court enter an Order for the following:

(1) That the Notice of Mortgage Payment Change of AMERIHOMEMORTGAGE COMPANY, LLC dated July 31, 2020 be DISALLOWED; and,

(2) For such additional and further relief which may be just and proper.

Respectfully submitted,

Dated: August 10, 2020

/s/ MICHAEL J. GRAML
MICHAEL J. GRAML, ESQ.
Attorney for Debtors/Movants
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Movants,	:	Related to Document No.
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vs.	:	
	:	
AMERIHOM MORTGAGE COMPANY, LLC	:	
c/o Midland Mortgage	:	
	:	
	:	
Respondent.	:	
	:	

**CERTIFICATE OF SERVICE OF OBJECTION TO NOTICE OF MORTGAGE PAYMENT
CHANGE OF AMERIHOM MORTGAGE COMPANY, LLC**

I certify under penalty of perjury that I served the above captioned pleading and proposed Order of Court on the parties at the addresses specified below or on the attached list on **August 10, 2020**.

The type(s) of service made on the parties (first class mail, electronic notification, hand delivery, or another type of service) was: **First Class U.S. Mail, postage pre-paid and Electronic Notification.**

ELECTRONIC NOTIFICATION:

Ronda J. Winnecour, Esq.
Office of the Chapter 13 Trustee
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ELECTRONIC NOTIFICATION:

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If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification and those served by mail will be listed under the heading Service by First Class Mail.

EXECUTED ON:

August 10, 2020

/s/ MICHAEL J. GRAML
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